

### REMARKS

The only issues outstanding in the Office Action mailed March 31, 2005, is the objection to the specification and the rejections under 35 U.S.C §§112 and 103. Reconsideration of these issues, in view of the following discussion, is respectfully requested.

A correct copy of page 20 of the specification which is not cut off is provided with this response. Withdrawal of the objection to the specification is therefore respectfully requested.

#### Rejections Under 35 U.S.C §112

Claims 45, 49, 52 and 53 have been rejected under 35 U.S.C §112, second paragraph. The Examiner's thoughtful commentary with regard to these claims is appreciated, and appropriate amendments have been made. Withdrawal of the rejection is therefore respectfully requested.

#### Rejections Under 35 U.S.C §103

The four separate rejections under 35 U.S.C §103, each employing, as a primary reference, Roeber et al. '492, have been maintained. Roeber discloses a "thermoplastic multilayer composite" containing various layers I - IV. Patentees discloses that these "layers" can be used to produce *pipes*, for example, underground supply lines for fuel stations, or for fuel tanks. See column 1, lines 23 - 30. Patentees moreover disclose that the composites are used in "construction parts", such as multilayer pipes for the transport of petrochemicals, brake, cooling or hydraulic fluids, or water pipes for drinking water. Patentees moreover indicate that the materials can be used as fuel tanks, filling ports, etc. See column 7, lines 11 - 34. In their disclosure, Patentees do not discuss specifically the thickness of the layers used

as pipes, etc., with the only indicator of thickness of the layers being found in the examples. Patentees' examples disclose materials having layer thicknesses of the substantial size of 1 mm, see column 9, lines 26 - 30.

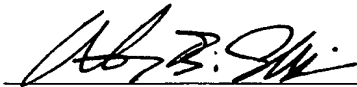
It is respectfully maintained that patentees fail to teach layers thin enough to function as *films* as recited in claim 1, much less to teach materials such as those of 23, reciting a thickness of 1 - 200 microns. As discussed previously, "films" would clearly be understood by one of ordinary skill in the art to differ from the comparatively thick constructs - pipes, underground supply lines, etc. - of the patent. As further evidence supporting Applicants' position, attention is directed to the attached articles discussing the comparative thinness of films. It is evident that a film, for example, of 200 microns, is considerably different from the 1 mm layer thicknesses of the reference.

However, the current Office Action cites Roeber '822 and doubts the forgoing argument, noting that some of the individual layer thicknesses disclosed at column 7 of the '822 patent are as thin as 50 microns. However, it is important to note that the "multilayer pipe" disclosed in this passage at column 7 has an external diameter of 8 mm and a total wall thickness of 1 mm. Thus, while any of the individual layers in this portion of the patent might technically be considered a "film", the overall construct clearly is not. Thus, the teaching of this reference, and the one employed in the rejection, as whole, does not teach the production of a "film." Withdrawal of the rejection is therefore respectfully requested.

The claims of the application are submitted to be in condition for allowance. However, if the Examiner has any questions or comments, he is cordially invited to telephone the undersigned at the number below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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